

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Yoshinobu Akimoto, et al.	Examiner:	Melanie J. Yu
Serial No:	10/508,815	Art Unit:	1641
Filed:	September 22, 2004	Docket:	18252
For:	TEST PIECE FOR ANALYZING ORGANISM-ORIENTED SUBSTANCE, MANUFACTURING METHOD THEREFOR, AND EXAMINATION METHOD FOR TEST PIECE FOR ORGANISM-ORIENTED SUBSTANCE	Dated:	June 29, 2007

Conf. No.: 5930

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Pursuant to the restriction requirement imposed in the Official Action dated May 29, 2007, Applicants elect the claims of Group II, i.e., Claims 10, 11 and 29-41 for continued prosecution herein.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on June 29, 2007.

Dated: June 29, 2007


Thomas Spinelli

Claims 1-44 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 1-9 and 18-28 are drawn to a method for manufacturing a test piece comprising the special technical feature of fixing a specific binding substance;

Group II, Claims 10, 11 and 29-41 are drawn to a product comprising the special technical feature of a fixed specific binding substance; and

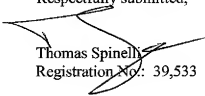
Group III, Claims 12-17 are drawn to an examination method of using a test piece comprising the special technical feature of supplying a labeled examination substance.

It is the Examiner's position that the inventions listed as Groups I -III are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group II, Claims 10, 11 and 29-41. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



Thomas Spinelli
Registration No.: 39,533

Scully, Scott, Murphy & Presser PC
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:cm